



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 20, 2023

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#: _____
DATE FILED: 2/9/23

BY ECF

The Honorable Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *United States v. Joseph Anderson, 23 Cr. 17 (ALC)*

Dear Judge Carter:

In the above-captioned matter, the Government respectfully requests that the time between February 9, 2023 and the initial pretrial conference scheduled for February 24, 2023 be excluded pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A).

The defendant was indicted on January 12, 2023. *See* ECF No. 9. The Court subsequently granted the Government's request to exclude Speedy Trial Act time from January 20, 2023 through the date of the defendant's arraignment and initial conference on February 9, 2023. *See* ECF No. 11. Due to a medical issue, the February 9, 2023 court conference was canceled. The Government understands that the Court intends to reschedule the defendant's arraignment and initial conference for February 24, 2023.

Although it is the Government's position that the Speedy Trial clock does not begin to run until the date the defendant is arraigned (as opposed to the date of indictment), out of an abundance of caution, the Government seeks the proposed exclusion between today and February 24, 2023, the date of the arraignment and initial pretrial conference. The Government respectfully submits that the ends of justice served by granting the proposed exclusion outweigh the best interests of the public and the defendant in a speedy trial, as the proposed exclusion will allow the Government time to prepare discovery, the defendant time to review such discovery, and the parties an

opportunity to begin discussing a possible pretrial resolution of this case. Defense counsel has informed me that she consents to this request.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: /s/ William C. Kinder
William C. Kinder
Assistant United States Attorney
Southern District of New York
(212) 637-2257
William.Kinder@usdoj.gov

cc (by ECF): Lorraine Gauli-Rufo, Esq.

The application is **GRANTED**. An initial pre-trial conference is scheduled for 2/23/23 at 12:30 p.m. Time excluded from 2/9/23 to 2/24/23 in the interest of justice.

So Ordered.


2/9/23